

## Fiscal Estimate - 2009 Session

☒ Original      ☐ Updated      ☐ Corrected      ☐ Supplemental

<b>LRB Number</b> <b>09-3308/1</b>		<b>Introduction Number</b> <b>SB-301</b>	
<b>Description</b> The application of shoreland zoning ordinances to certain unincorporated areas			
<b>Fiscal Effect</b>			
<b>State:</b>			
<div style="display: flex; flex-wrap: wrap;"><div style="width: 50%;"><input type="checkbox"/> No State Fiscal Effect</div><div style="width: 50%;"><input type="checkbox"/> Indeterminate</div></div>			
<div style="display: flex; flex-wrap: wrap;"><div style="width: 33%;"><input type="checkbox"/> Increase Existing Appropriations</div><div style="width: 33%;"><input type="checkbox"/> Increase Existing Revenues</div><div style="width: 33%;"><input checked="" type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget</div></div>			
<div style="display: flex; flex-wrap: wrap;"><div style="width: 33%;"><input type="checkbox"/> Decrease Existing Appropriations</div><div style="width: 33%;"><input type="checkbox"/> Decrease Existing Revenues</div><div style="width: 33%;"><input checked="" type="checkbox"/> Yes      <input type="checkbox"/> No</div></div>			
<div style="display: flex; flex-wrap: wrap;"><div style="width: 33%;"><input type="checkbox"/> Create New Appropriations</div><div style="width: 33%;"></div><div style="width: 33%;"><input type="checkbox"/> Decrease Costs</div></div>			
<b>Local:</b>			
<div style="display: flex; flex-wrap: wrap;"><div style="width: 50%;"><input type="checkbox"/> No Local Government Costs</div><div style="width: 50%;"><input checked="" type="checkbox"/> Indeterminate</div></div>			
<div style="display: flex; flex-wrap: wrap;"><div style="width: 33%;"><div>1. <input type="checkbox"/> Increase Costs</div><div><input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory</div></div><div style="width: 33%;"><div>3. <input type="checkbox"/> Increase Revenue</div><div><input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory</div></div><div style="width: 33%;"><div>5. Types of Local Government Units Affected</div><div><input checked="" type="checkbox"/> Towns    <input checked="" type="checkbox"/> Village    <input checked="" type="checkbox"/> Cities</div></div></div>			
<div style="display: flex; flex-wrap: wrap;"><div style="width: 33%;"><div>2. <input type="checkbox"/> Decrease Costs</div><div><input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory</div></div><div style="width: 33%;"><div>4. <input type="checkbox"/> Decrease Revenue</div><div><input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory</div></div><div style="width: 33%;"><div><input checked="" type="checkbox"/> Counties    <input type="checkbox"/> Others</div><div><input type="checkbox"/> School Districts    <input type="checkbox"/> WTCS Districts</div></div></div>			
<b>Fund Sources Affected</b>		<b>Affected Ch. 20 Appropriations</b>	
<input checked="" type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS 20.370(4)(ma)			
<b>Agency/Prepared By</b>		<b>Authorized Signature</b>	<b>Date</b>
DNR/ Joe Polasek (608) 266-2794		Joe Polasek (608) 266-2794	1/19/2010

## Fiscal Estimate Narratives

DNR 1/19/2010

LRB Number	09-3308/1	Introduction Number	SB-301	Estimate Type	Original
<b>Description</b> The application of shoreland zoning ordinances to certain unincorporated areas					

### Assumptions Used in Arriving at Fiscal Estimate

This bill provides that a county shoreland zoning ordinance enacted by a county or adopted by DNR for a county does not apply to areas meeting certain criteria. Under the bill, a shoreland zoning ordinance does not apply if the majority of the buildings and structures in the area have been used since January 1, 1990, to conduct the affairs of small business, if all of the roads in the area are paved, if the area receives public water and sewer service, and if the area meets all other requirements specified by DNR by rule. The bill requires that every county that enacts a shoreland zoning ordinance include a provision in the ordinance that identifies areas that are exempt from the ordinance based on the specified criteria. The bill provides that, if DNR determines, after notice and hearing, that an area identified in an ordinance as exempt does not meet the specified criteria for exemption, the ordinance applies to that area.

### State Fiscal Impact

The Department estimates that it will take approximately 820 hours of staff time to prepare draft administrative rules to implement the proposed statutory changes and that the estimated hourly salary and fringes costs is \$44.50. Therefore, one-time costs are estimated to be \$36,500 (820 hrs. x \$44.50/hr.).

The Department will incur ongoing staffing costs because local units of government will ask Department staff for technical assistance in how the statutory changes are interpreted and applied. The Department estimates it will take approximately 1,040 hours of staff time annually (equivalent to 0.50 FTE) to carry out these oversight and technical assistance functions. Using an estimated hourly salary and fringe rate of \$44.50, ongoing costs are estimated to be \$46,300 (1,040 hrs. x \$44.50).

### Local Fiscal Impact

Local units of government may incur significant costs to revise shoreland zoning ordinances to reflect the provisions in this bill. The actual number of requests and amount of time needed is not known at this time. Each local authority would need to devise a system and modify existing ordinances to specify the newly exempted area and then would need to provide oversight of projects to assure projects meet all other provisions in general zoning. It is also expected that local authorities would deal on a case-by-case basis with requests to exempt particular properties. Given the amount of variables, the Department is unable to provide a specific estimate of the local fiscal impact and therefore characterizes the overall impact on local government costs as "indeterminate".

### Long-Range Fiscal Implications

## Fiscal Estimate Worksheet - 2009 Session

Detailed Estimate of Annual Fiscal Effect

☒ Original
 ☐ Updated
 ☐ Corrected
 ☐ Supplemental

<b>LRB Number</b> 09-3308/1		<b>Introduction Number</b> SB-301	
<b>Description</b> The application of shoreland zoning ordinances to certain unincorporated areas			
<b>I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):</b>  \$36,500 for drafting administrative rules			
<b>II. Annualized Costs:</b>		<b>Annualized Fiscal Impact on funds from:</b>	
		Increased Costs	Decreased Costs
<b>A. State Costs by Category</b>			
State Operations - Salaries and Fringes	\$46,300	\$	
(FTE Position Changes)	(0.5 FTE)		
State Operations - Other Costs			
Local Assistance			
Aids to Individuals or Organizations			
<b>TOTAL State Costs by Category</b>	<b>\$46,300</b>	<b>\$</b>	
<b>B. State Costs by Source of Funds</b>			
GPR	46,300		
FED			
PRO/PRS			
SEG/SEG-S			
<b>III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)</b>			
	Increased Rev	Decreased Rev	
GPR Taxes	\$	\$	
GPR Earned			
FED			
PRO/PRS			
SEG/SEG-S			
<b>TOTAL State Revenues</b>	<b>\$</b>	<b>\$</b>	
<b>NET ANNUALIZED FISCAL IMPACT</b>			
	State	Local	
NET CHANGE IN COSTS	\$46,300	\$	
NET CHANGE IN REVENUE	\$	\$	
<b>Agency/Prepared By</b>		<b>Authorized Signature</b>	<b>Date</b>
DNR/ Joe Polasek (608) 266-2794		Joe Polasek (608) 266-2794	1/19/2010